

## **FISCAL NOTE**

### **SB 52**

January 22, 2007

**SUMMARY OF BILL:** Creates a new Class E felony offense for knowingly engaging in sexual conduct or sexual contact with an animal.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase State Expenditures – \$6,600 / Incarceration\***

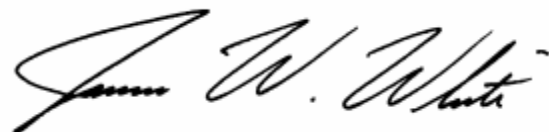
##### Assumptions:

- According to the District Attorneys General Conference, this type of offense is currently prosecuted as animal cruelty. A first offense conviction for cruelty to animals is punished as a Class A misdemeanor. A second offense conviction is punished as a Class E felony.
- One offender per year will serve 0.3 years (109.58 days served) for a Class E felony conviction for knowingly engaging in sexual acts with an animal that previously would have been punished as a Class A misdemeanor. According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days).
- No significant incarceration cost increase will occur due to population growth in this period.

*\*Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director